



Washington State
Department of Ecology
 Spill Prevention, Preparedness, and Response Program
 P.O. Box 47600, Olympia, WA 98504-7600
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Proof of Financial Responsibility Chapter 173-187 WAC

Certificate from Another State Form

Other state certificate number:
Effective date of certificate from another state:
Expiration date of certificate from another state:
Issuing state for other certificate:
Underlying type of proof of financial responsibility for other state:
Amount of financial responsibility demonstrated to other state:
Covered facility or vessel name:
Owner or operator name:
Owner or operator address:

The above-named owner or operator attests that they comply with Washington State financial responsibility requirements as specified in WAC 173-187-220 (6)(f) with a certificate evidencing compliance with the requirements of another state's financial responsibility requirements or federal financial responsibility requirements, which meet or exceed the Washington State requirements.

This Washington State proof of financial responsibility instrument, in the amount of _____, may be drawn on to cover the costs and damages of oil pollution claims and the unlawful discharge of oil caused by an oil spill to the navigable waters of Washington State arising from operating the facility(ies) or vessel(s) identified below:

The financial instrument that provides proof of financial responsibility for the other state or federal certificate is . The supporting documentation for this financial instrument is attached to the covered facility's or vessel's Washington State certificate of financial responsibility application and must provide coverage to, and specifically denote, Washington State as a beneficiary of the financial instrument. The owner or operator must establish a standby trust fund when the proof of financial responsibility instrument is a surety bond, guarantee, letter of credit, or certificate of deposit.

In the event that Ecology determines that the covered facility(ies) or vessel(s) has failed to pay for costs and damages of oil pollution claims and the unlawful discharge of oil caused by an oil spill to the navigable waters of Washington State in accordance with Chapter 173-187 WAC, the proof of financial responsibility instrument must be liquidated and, when required, must fund a standby trust fund in accordance with the provisions of WAC 173-187-220 (6)(c)(vii), in an amount not to exceed the coverage limits specified above.

The owner or operator must notify Ecology within seven calendar days if the other state or federal certificate is cancelled or revoked and must submit an application for a new Washington State certificate of financial responsibility within seven calendar days of the cancellation or revocation of the other state or federal certificate.

If Ecology determines or suspects that a release has occurred in Washington by a facility or vessel covered by this proof of financial responsibility, the underlying financial instrument may be liquidated upon Ecology's written instructions and, when required, must fund a standby trust fund in accordance with the provisions of WAC 173-187-220 (6)(c)(vii), in an amount not to exceed the coverage limits specified above.

The funds designated for Washington State proof of financial responsibility may not be used for any of the following:

- a. Any obligation of the covered facility or vessel under a workers' compensation, disability benefits, or unemployment compensation law or other similar law;
- b. Bodily injury to an employee of the covered facility or vessel arising from, and in the course of, employment by the covered facility or vessel;
- c. Bodily injury or property damage arising from the ownership, maintenance, use, or entrustment to others of any aircraft, motor vehicle, or watercraft other than bodily injury or property damage arising from a contract or agreement with a third-party entered into to meet the requirements of Chapter 173-187 WAC;
- d. Property damage to any property owned, rented, loaned to, in the care, custody, or control of, or occupied by the covered facility or vessel;
- e. Bodily damage or property damage for which the covered facility or vessel is obligated to pay damages by reason of the assumption of liability in a contract or agreement other than a contract or agreement entered into to meet the requirements of Chapter 173-187 WAC.
- f. Legal defense costs of any kind.

When self-insurance is used as the proof of financial responsibility for the other state or federal certificate, the facility or vessel owner or operator must attach their most recent 10-K form or audited annual financial statements when they submit their Washington State application. Thereafter, each quarter they must submit their form 10-Q within two calendar months after the quarter ends and their 10-K form or audited annual financial statements within four calendar months after their fiscal year ends. All annual audited financial statements, form 10-K, and form 10-Q submissions must be accompanied by a statement by the certified public accountant who prepared the forms that verifies the value of the assets located in the United States.

I hereby certify that the wording of this agreement is identical to the wording provided in Ecology's Proof of Financial Responsibility Certificate from Another State Form as such regulations were constituted on the effective date shown immediately below.

Signature of owner or operator

Date

Print Name

Title

Submitting Party Information

Contact Name:	
Company Name:	
Address:	
Phone Number:	Fax Number:
Email:	Website:

Responsible Party Information

Contact Name:	
Company Name:	
Address:	
Phone Number:	Fax Number:
Email:	Website: